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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/755,934
Filing Date: January 04, 2001
Appellant(s): COOPERSTONE ET AL.

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GROUP 3600

Robert P. Lord
(Reg. No.: 46,479)
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 6/27/2007 appealing from the Office action
mailed 11/2/2005.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of the claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

Kahn et al. (US 6,401,079)

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
2. **Claims 9-13, 17-29, 31-36, 38-42, and 51-58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kahn et al. (US 6,401,079).**
3. As per **independent Claims 9 and 21**, Kahn discloses a method of integrating a plurality of human resource and employee benefit products, some of said products comprising a source of data, said method comprising: (a) receiving a request from a requestor to conduct an operation on said data of said plurality of products; (b) conducting said operation on a shared data source (C13 L43-57, C26 L32-36); (c)

initiating a plurality of tasks to perform said operation for each of the plurality of products; determining which of said plurality of tasks are critical and creating a sorted first list of all said tasks initiated to perform said operation on the plurality of products that are determined to be critical (common rules for queuing operation system commands); (e) synchronously executing said tasks from said first list, wherein on said task is being executed at a time in order of priority, with a subsequent task waiting for a previous task to complete (common rules for queuing operation system commands); (f) determining which of said plurality of tasks are not critical and creating a second list of all said tasks initiated to perform said operation on the plurality of products that are determined to be non-critical (common rules for queuing operation system commands); and (g) executing said tasks from said second list in asynchronous order (Abstract, Fig.5, Figs.12(a)-15(e), Figs. 26-34(b), C5 L1-12, C5 L51-61, C13 L43-57, C26 L32-36, C52 39-62).

4. Kahn fails to expressly disclose wherein at least two of said products format said sources of data differently, and wherein same data regarding said operation to be performed is formatted to accommodate different formatting of each of said data source belonging to the plurality of products.
5. However, Kahn does disclose seamlessly integrating employer data and third-party data to provide benefit information to system users (C52 L36-53).
6. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included wherein at least two of said products format said sources of data differently, and wherein same data regarding said

operation to be performed is formatted to accommodate different formatting of each of said data source belonging to the plurality of products, in the system disclosed by Kahn, for the advantage of providing a method of integrating a plurality of human resource and employee benefit products, with the ability to increase system efficiency by integrating information from a plurality of sources to provide users with the most current/reliable information.

7. As per **independent Claim 17**, Kahn discloses a network site comprising a computer server that provides display pages to requesting client machines, the network site further comprising: (a) a first set of human resource and employee benefit products installed at the computer server and accessed by a client machine; and (b) one or more network links from the computer server to computer servers of corresponding third party providers, each of whom offers one or more human resource and employee benefit products that are accessed from a client machine by the network link, therein comprising a second set of human resource and employee benefits products, wherein the computer server receives requests from client users for services from the first and second set of human resource and the employee benefit products, and responds by determining the appropriate application to process the client user request, therein comprising an integrated benefits package accessed by the client machines(Abstract, Fig.5, Figs.12(a)-15(e), Figs. 26-34(b), C5 L1-12, C5 L51-61, C13 L43-57, C26 L32-36, C52 39-62).

8. Kahn fails to expressly disclose wherein the third party providers are bound to a determined price and defined period of time for managing the links from the computer server.
9. However, Kahn does disclose maintaining a listing of providers and prices (c23 L40-57), and it would have been obvious to one of ordinary skill in the art at the time the invention was made to negotiate a contract with the providers before being entered as a listing in the system, in order to maintain some data stability/consistency for system users.
10. As per **Independent Claim 26**, Kahn discloses a network computer server that manages and administers a plurality of human resource and employee benefit products on a network, said plurality of products being implemented on a plurality of network computing devices, the server comprising: (a) a communication interface through which the server receives a user request to perform data operations on data sources of said plurality of products; and (b) a processor that conducts said data operations on the data sources of each of the plurality of products; wherein said user views all of said plurality of products as residing on a single computing device (Abstract, Fig.5, Figs.12(a)-15(e), Figs. 26-34(b), C5 L1-12, C5 L51-61, C13 L43-57, C26 L32-36, C52 39-62).
11. Kahn fails to expressly disclose wherein said processor determines triggering events that require actions on said data sources of each of said plurality of products and performs said actions in an integrated fashion.

12. However, Kahn does the ability to update employee records (C27 L52-59), and issuing system alerts to users (C52 L54-62).

13. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included wherein said processor determines triggering events that require actions on said data sources of each of said plurality of products and performs said actions in an integrated fashion, in the system disclosed by Kahn, for the advantage of providing a method of integrating a plurality of human resource and employee benefit products, with the ability to increase system efficiency by allowing users to modify profile information when appropriate.

14. As per **independent Claims 29 and 36**, Kahn discloses a method of processing operations in an integrated human resource management system over a computer network, the method comprising: determining if additional new employee information is needed to correctly change affected data records and, if so, then eliciting the additional new employee information from a system user; updating the determined affected data records in the data store with the new employee information such that the updated data records are immediately available to computer network processes of the human resource management system; and responding to a request from one of the computer network processes by retrieving the updated data records from the data store (Abstract, Fig.5, Figs.12(a)-15(e), Figs. 26-34(b), C5 L1-12, C5 L51-61, C13 L43-57, C26 L32-36, C52 39-62).

15. Kahn fails to expressly disclose wherein said processor determines triggering events that require actions on said data sources of each of said plurality of products and performs said actions in an integrated fashion.

16. However, Kahn does the ability to update employee records (C27 L52-59), and issuing system alerts to users (C52 L54-62).

17. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included wherein said processor determines triggering events that require actions on said data sources of each of said plurality of products and performs said actions in an integrated fashion, in the system disclosed by Kahn, for the advantage of providing a method of integrating a plurality of human resource and employee benefit products, with the ability to increase system efficiency by allowing users to modify profile information when appropriate.

18. As per **independent Claim 51**, Kahn discloses a user interface for displaying information directed to a specific employee, the information relating to employee administration products of an integrated package, the products including a third party provider product accessible over a network, comprising: at least one link associates with the third party provider product of the package; a first display area for displaying at least one recommendation relating to at least one employee administration product (drop down box of available providers) of the package responsive to receiving data (Abstract, Fig.5, Figs.12(a)-15(e), Figs. 26-34(b), C5 L1-12, C5 L51-61, C13 L43-57, C26 L32-36, C52 39-62).

19. Kahn fails to expressly disclose receiving data indicating entry into a time period for a life event relating to the specific employee; and a second display area, separated from the first display area by a boundary, for displaying at least one reminder for at least one product of the package.

20. However, Kahn does the ability to update employee records (C27 L52-59), and issuing system alerts to users (C52 L54-62).

21. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included receiving data indicating entry into a time period for a life event relating to the specific employee; and a second display area, separated from the first display area by a boundary, for displaying at least one reminder for at least one product of the package, in the system disclosed by Kahn, for the advantage of providing a method of integrating a plurality of human resource and employee benefit products, with the ability to increase system efficiency by allowing users to modify profile information when appropriate.

22. As per **Independent Claims 52, 55, and 57**, Kahn discloses a method (system, computer program product) of providing human resource and employee benefit products to a client (abstract, employee), comprising: creating by an agent (employer) an integrated package of human resource and employee benefit products selected from a plurality of human resource and employee benefit products offered by a plurality of third-party service providers (health, 401k, etc.), the integrated package including a human resource and employee benefit products offered by at least one of the third-party service providers, wherein the agent is

independent of the client and the third-party service providers; determining by the agent a price quotation for the integrated package (Figs.5-25, C5-C6, C20-C28, C52, developing benefit plans and determining pricing using price listings); and offering by the agent the integrated package at the determined price quotation to the client via a computer network (C22 L30-43, employee selects benefits).

23. Kahn fails to expressly disclose wherein the price quotation being binding on each third-party service provider providing the products in the integrated package.
24. However, Kahn does disclose maintaining a listing of providers and prices (C23 L40-57), and it would have been obvious to one of ordinary skill in the art at the time the invention was made to negotiate a contract with the providers before being entered as a listing in the system, in order to maintain some data stability/consistency for system users.

(10) Response to Argument

1. The Applicant makes the argument that the prior art fails to disclose the ability of the system to determine which of a plurality of task are critical and which of the plurality of tasks are not critical, in order to prioritize the various tasks and to execute the tasks on each product in an organized fashion in accordance with task's relative importance (Claims 9-13 and 21-25).
2. However, such system usage prioritization was well known to one of ordinary skill at the time the invention was made as a common data handling structure within a computerized environment.

3. Furthermore, Kahn discloses the ability of the system to establish "workflow sequences' when handling system data (C13-C14), which automates the prioritization of workflows through the system.
4. The Applicant makes the argument that the prior art fails to disclose network links from the computer server to computer servers of corresponding third party providers, an integrated benefits package comprising one or more applications from the first and second set of human resource and employee benefits products, and wherein the network site binds third party providers to a determined price of their applications in the integrated benefits package (Claims 17-20).
5. However, Kahn discloses an integrated relationship between the employer and the third-party server provider, to include transferring of data and enables employers to provide personalized benefit plan options from which employees can select (C44 L1-25, C52 L44-53).
6. Furthermore, Kahn does disclose maintaining a listing of providers and prices (C23 L40-57, prices can be provided from the providers), and it would have been obvious to one of ordinary skill in the art at the time the invention was made to negotiate a contract with the providers before being entered as a listing in the system, in order to maintain some data stability/consistency for system users.
7. The Applicant makes the argument that the prior art fails to disclose a network computer server that manages and administers a plurality of human resource and employee benefit products ... being implemented on a plurality of third party network

computing devices, and a processor that performs actions on data sources according to a format of each plurality of products (Claim 26-28).

8. However, Kahn discloses a system for managing and administering a plurality of human resource and employee benefit products (abstract, Figs.3-38), and discloses an integrated relationship between the employer and the third-party server provider, to include transferring of data and enables employers to provide personalized benefit plan options from which employees can select (C44 L1-25, C52 L44-53).

9. Furthermore, Kahn discloses a computer system for handling benefit package creation and selection, and creating rules and workflow sequences associated with the packages (benefits and HR) (C13-C14, C26 L31-42).

10. The Applicant makes the argument that the prior art fails to disclose converting the retrieved updated data records into a data format that is compatible with the requesting network process and providing the converted data records to the requesting network process (Claim 29, 31-36, and 38-42).

11. However, Kahn does disclose receiving benefit package updates from provider, which are integrated into the HR/benefits system (C22 L30-42, security groups; C20 L16-20), and it would have been obvious to one of ordinary skill in the art at the time the invention was made to convert any data received into a compatible format with the system, in order to allow the information to become an active part of the system.

12. The Applicant makes the argument that the prior art fails to disclose the use of triggering events.

13. However, as stated in the rejection above, Kahn fails to expressly disclose wherein

said processor determines triggering events that require actions on said data sources of each of said plurality of products and performs said actions in an integrated fashion.

14. However, Kahn does the ability to update employee records (C27 L52-59), and issuing system alerts to users (C52 L54-62).

15. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included the use of triggering events in the system disclosed by Kahn, for the advantage of providing a method of integrating a plurality of human resource and employee benefit products, with the ability to increase system efficiency by allowing users to modify profile information when appropriate.

16. Finally, the Applicant makes the argument that the prior art fails to disclose a first display area for displaying at least one recommendation relating to the third party provider product of the package and a second display area for displaying at least one reminder for the third party provider product of the package.

17. However, Kahn discloses the listing of available benefits (Health Carrier plans, Custom health plans, 401k plans) for the employees through a first display (Fig.12a, recommended packages) and providing the employee with information regarding the available plans (C20 L46-57, C22 L30-42, C23 L40-57), and furthermore discloses issuing system alerts to users (C52 L54-62).

(11) Related Proceeding(s) Appendix

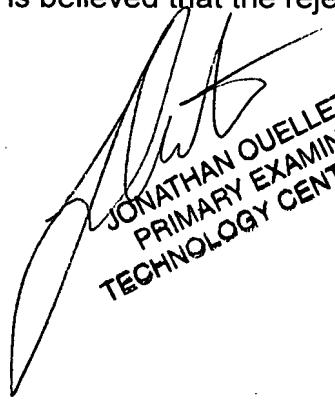
No decision rendered by a court or the Board is identified by the Examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Jonathan Ouellette

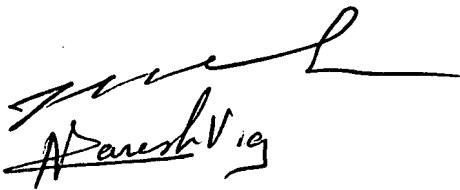
October 14, 2007



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